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Dkt. 57477-A-PCT-US/JPW/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas M. Jessell et al.
Serial No.: 09/820,598 Group Art Unit: 1653
Filed: March 29, 2001 Examiner: K. Carlson, Ph.D.
For: GENE ENCODING MNR2 AND USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
August 16, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION IN
RESPONSE TO JULY 14, 2004 NOTICE

This Communication is submitted in response to a July 14, 2004 Notice issued by the United States Patent and Trademark Office ("USPTO") in connection with the above-identified application. A copy of the Notice is attached hereto as **Exhibit A**. The Notice provides a one-month period for filing a response. Therefore, a response to the Notice was due August 14, 2004. However, since August 14, 2004 was a Saturday, a response on the next succeeding day which is not a Saturday, Sunday or Federal holiday, i.e. Monday, August 16, 2004, is considered timely under 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

REMARKS

The Examiner objected to applicants' May 11, 2004 reply to the February 11, 2004 Office Action and stated that applicants'

Applicants: Thomas M. Jessell, et al.
U.S. Serial No: 09/820,598
Filed: March 29, 2001
Page 2

reply will not be entered because it is allegedly not signed. Applicants note the date of May 14, 2004 erroneously attributed to the May 11, 2004 Amendment.

Further to an August 13, 2004 telephone conference between myself and Mark Polutta, Esq., of the USPTO Office of Patent Legal Administration, Mr. Polutta stated that the July 14, 2004 Notice will be withdrawn and that therefore, a response to the Notice is not required. Mr. Polutta stated that a new communication will be sent by the USPTO in connection with the subject application.

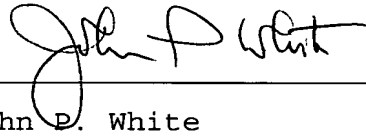
Applicants submit this Communication in order to make of record the August 13, 2004 telephone conference between myself and Mr. Polutta, wherein Mr. Polutta stated that a response to the July 14, 2004 Notice is not required.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants: Thomas M. Jessell, et al.
U.S. Serial No: 09/820,598
Filed: March 29, 2001
Page 3

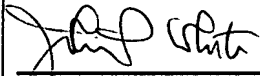
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



8/16/04

John P. White
Reg. No. 28,678

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 19 2004

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,598 ✓	03/29/2001	Thomas M. Jessell	57477-A-PCT-US/JPW/MVM	5690

7590

07/14/2004

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

CARLSON, KAREN C

ART UNIT

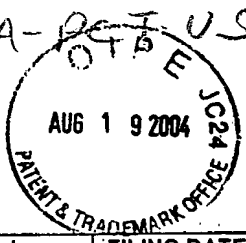
PAPER NUMBER

1653

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

57477-A-297 US



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

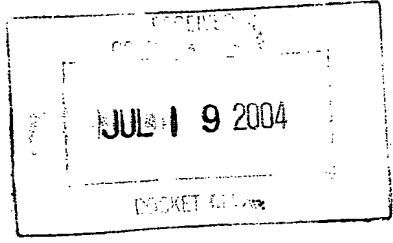
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450

JPW

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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1mo: 8/14/04
2mo: 9/14/04
3mo: 10/14/04
4mo: 11/14/04
5mo: 12/14/04
6mo: 1/14/05

Santer



EXAMINER

ART UNIT	PAPER
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06292004

DATE MAILED: 7/14/04

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This Notice is in response to the paper filed May 14, 2004.

The proposed reply filed on May 14, 2004 has not been entered because it is unsigned.

Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Cochrane Carlson, Ph.D. whose telephone number is 571-272-0946. The examiner can normally be reached on 7:00 AM - 4:00 PM, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Jon Weber can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Cochrane Carlson

KAREN COCHRANE CARLSON, PH.D.
PRIMARY EXAMINER